

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ANTHONY NATALE, JR., on behalf of himself and
all others similarly situated,

Plaintiff,

v.

GENERAL MOTORS CORPORATION,

Defendant.

CIVIL ACTION
NO. 05-11152-RCL

**DEFENDANT GENERAL MOTORS CORPORATION'S
MOTION FOR LEAVE TO CONDUCT DISCOVERY IN AID OF ITS
OPPOSITION TO PLAINTIFF'S MOTION TO REMAND**

For the reasons set out in Defendant General Motors Corporation's ("GM") Memorandum Of Law In Support Of Motion For Leave To Conduct Discovery In Aid Of Its Opposition To Plaintiff's Motion To Remand, GM hereby moves for leave to depose Plaintiff Anthony Natale ("Natale") in aid of GM's Opposition to Plaintiff's Motion to Remand. Currently, GM's Opposition is due on August 22, 2005.

WHEREFORE, GM has a substantial basis to believe that the limited discovery it seeks will lead to the disclosure of information material to its ability to oppose Plaintiff's Motion to Remand and to assist this Court in determining its jurisdiction, GM thus seeks leave to depose Natale on an expedited basis - on either August 17, 18, or 19, 2005. Should Natale's deposition not be completed by August 19, 2005, GM further seeks leave to file its Opposition to the Motion to Remand within three days after taking Natale's deposition or, in the alternative, leave to file a brief supplemental opposition after the deposition is taken.

August 12, 2005

Respectfully submitted,

/s/ Carol E. Head

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RULE 7.1(A)(2) CERTIFICATE

Undersigned counsel, John R. Skelton, certifies that on August 11, 2005, he conferred with plaintiffs' counsel, Douglas Hoffman, Esq., by email and voicemail and that they attempted in good faith to resolve or narrow the issues presented by this Motion but were unable to do so. Specifically, Counsel proposed that the plaintiff stipulate to certain facts, which would render this motion unnecessary, but plaintiff's counsel declined.

/s/ John R. Skelton

John R. Skelton

CERTIFICATE OF SERVICE

I, Carol E. Head, hereby certify that a true and correct copy of the foregoing Motion For Leave To Conduct Discovery In Aid Of Opposition To Plaintiff's Motion To Remand was served on August 12, 2005 via first-class mail upon counsel of record for the plaintiff:

David Pastor, Esq.
Kenneth G. Gilman, Esq.
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/s/ Carol E. Head

Carol E. Head